

Docket No.: 262584US0PCT



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/516,944

Applicants: Takashi NARUI, et al.

Filing Date: December 16, 2004

For: TRANSDERMAL ABSORPTION PREPARATION

Group Art Unit: 1615

Examiner: MERCIER

SIR:

Attached hereto for filing are the following papers:

Letter to PTO; Information Disclosure Statement; PTO Form 1449; Cited References (2); Copy of an Office Action concerning JP 2002-206565 issued on February 23, 2009

Credit card payment is being made online (if electronically filed), or is attached hereto (if paper filed), in the amount of \$0.00 to cover any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

Respectfully submitted,

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TAKASHI NARUI, ET AL. : EXAMINER: MERCIER
SERIAL NO: 10/516,944 :
FILED: DECEMBER 16, 2004 : GROUP ART UNIT: 1615
FOR: TRANSDERMAL ABSORPTION :
PREPARATION

LETTER TO PTO

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Regarding the Information Disclosure Statement (IDS) filed on December 16, 2004, Applicants request the Examiner to kindly send a corrected PTO Form 1449 with her initials, signature and date. Applicants note that the PTO Form 1449 filed December 16, 2004, was considered by the Examiner on October 20, 2007, and all references were properly initialed and signed. However, some of the references (AJ-AR) show a strike-through line. Applicants believe this to be an error and request the Examiner to kindly resend a corrected PTO Form 1449 with her initials, name and signature and without strike-through lines.

Most notably, all references cited in the IDS filed December 16, 2004, were cited in an International Search Report. Further, the MPEP states that:

“The examiner will consider the documents cited in the international search report in a PCT national stage application when the Form PCT/DO/EO/903 indicates that both the international search report and the copies of the documents are present in the national stage file. In such a case, the examiner should consider the documents from the international search

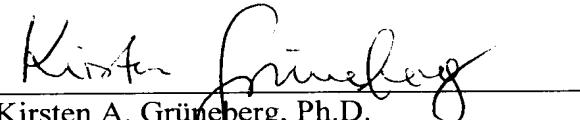
report and indicate by a statement in the first Office action that the information has been considered."

MPEP §609

The Office has acknowledged receipt of the International Search Report and the copies of the cited references on Form PCT/DO/EO/903. The respective copies are attached herewith. Accordingly, Applicants respectfully request the Office to acknowledge consideration of the above references.

Respectfully submitted,

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